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HIGH COURT OF CHHATTISGARH, BILASPUR

W.P.(S) No.7079 of 2007

PETITIONERS

1. Gaindlal Joshi aged 42 years, son of Nain Das Joshi, Assistant Teacher, Primary School, Changurda
2. Naresh Kumar Dhurve aged 40 years, son of Khauwaram Assistant Teacher, Middle School, Itar
3. Ramsingh Shrivas aged 45 years, son of Bhawaram Shrivas, Assistant Teacher, Primary School, Duda
4. Smt. Dhaneshwari aged 40 years, wife of Dheluram Marshal, Assistant Teacher Primary School, Itar
5. Smt. Anupma Jain aged 38 years, wife of Shri Anil Jain Assistant Teacher Girl's Middle School, Chhuikhadan,

All Assistant Teachers, District Rajnandgaon(CG)

Versus

RESPONDENTS

1. The State Govt. of Chhattisgarh Through the Secretary, Education Department, D.K.S. Bhawan, Raipur (C.G.)
2. The District Education Officer Rajnandgaon (C.G.)

(Writ Petition under Article 226 of the Constitution of India)

Appearance:

Shri Ajay Shrivastava, counsel for the petitioners.

Ms. Sunita Jain, Panel Lawyer, for the State on advance copy.

ORAL ORDER
(29.11.2007)

SUNIL KUMAR SINHA, J.

Heard on admission.

Learned counsel for the petitioners submits that the petitioners have passed D.Ed. examination on their own expenses, therefore, they are entitled to receive two advance increments according to circulars dated 24.12.1998 and 01.03.1999. He also submits that in many identical matters, the petitions have been allowed in terms of the order passed in the

case of ***Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another {2006 (II) MPJR-CG 96}.*** He submits that the case of the petitioners is squarely covered by the said Judgment.

This legal position is not disputed by the learned counsel for the State. However, she submits that the order may be passed in terms of the said judgment, but it shall be subjected to verification regarding petitioners' such qualification.

Accordingly, this writ petition is allowed in terms of the order passed in case of *Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another (Supra)* subject to verification of the facts as to whether the petitioners had acquired D.Ed. Examination Certificates on their own expenses as per circulars dated 24.12.1998 and 01.03.1999 and further whether they have been paid two advance increments or not.

The petition stands finally disposed of. No order as to costs.

Sd/-
Sunil Kumar Sinha
Judge

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